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C O N F I D E N T I A L NAIROBI 001747

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SUBJECT: TWO TOP OPPOSITION CANDIDATES LAY OUT THEIR STRATEGIES

REF: A. NAIROBI 1669
¶B. NAIROBI 1514

Classified By: Ambassador Michael E. Ranneberger for reasons 1.4 (b,d).

¶11. (C) SUMMARY: During recent separate lunches with the Ambassador, the two top candidates of the main opposition coalition (the Orange Democratic Movement Kenya, ODM-K), Raila Odinga and Kalonzo Musyoka, discussed their strategies for the national elections later this year. While both expressed concerns about aspects of the electoral process, they said that the process would likely be credible. Neither one seems prepared to step aside for the other, reflecting the challenge the ODM faces to remain united. It is generally felt that President Kibaki will win overwhelmingly if the opposition is not united and, indeed, stands an excellent chance of winning even in the face of a united ODM-K. END SUMMARY.

Musyoka

¶12. (C) The Ambassador used the lunches to lay out U.S. efforts to help ensure that the national elections are transparent and credible (see ref A on the Mission's strategy). Musyoka started by alleging that the government is already working hard to influence the electoral process through questionable tactics. He claimed that the government is pulling its business (official notices, etc.) from the main Nairobi daily papers. Kibaki and his team are supporting the establishment of a new television station and newspaper of the Royal Media Group. The head of that Group, Musyoka alleged, is a key strategist for Kibaki. Musyoka also accused the government of not doing enough to diminish tribalism, which is traditionally exploited in a violent way by rival political groups during national elections. Musyoka believes that the government is planning to replace the widely respected chairman of the Electoral Commission when his term expires December 2, just weeks before the national elections expected on December 27. The replacement, which is Kibaki's constitutional prerogative, will likely be someone beholden to the government.

¶13. (C) The Ambassador noted that he would emphasize the need for no misuse of government resources and would bolster the current chairman of the Electoral Commission in the speech he is planning to give on the elections in early May. The Ambassador pointed out, however, that the opposition has the responsibility to resolve its internal disputes and maintain

unity if it is to have any prospect to win the elections. He emphasized that the U.S. will remain strictly neutral with respect to the candidates, but will be proactively engaged to ensure a fair electoral process. Musyoka said that he is working hard to rally ODM-K support around himself. He claimed that influential Rift Valley politician (and presidential aspirant) William Ruto is supporting him. Musyoka has also supported the creation of a group of ODM-K "elders" in order to help shape consensus support for a candidate (namely Musyoka).

¶4. (C) Musyoka said that Raila Odinga is working hard to undermine him. He claimed that Odinga is working with influential ODM-K coast politician (and presidential aspirant) Najib Balala to inflame Muslim sentiment against him because he is a born-again Christian. Musyoka recognized the need for the ODM-K coalition to remain united if it is to have any chance of winning the elections. However, he said, the ODM-K cannot win with Odinga. (Recent public opinion polling tends to support this, consistently showing that Musyoka is the most competitive against Kibaki.) Therefore, if Odinga insists on being the presidential candidate (based on the fact that Odinga's Luo are the largest tribal group within the ODM-K), then Musyoka might be forced to break from ODM and run on his own. While this would mean victory for Kibaki, Musyoka commented, so would a united ODM-K with Odinga as its candidate.

¶5. (C) Musyoka emphasized the importance of obtaining Parliamentary approval for minimum electoral reforms. That, he stressed, is the only way to ensure that the elections will be free and fair. He emphasized particularly the need for reforms to ensure that the Electoral Commission is truly independent and that a winning presidential candidate must

gather more than 50 percent of the popular vote, the so-called 50 plus 1 provision (ref B). He said it would also be important to achieve reforms that would mandate increased numbers for women in Parliament; put in place a system for government financing of political parties; and ensure that the elected government cannot "poach" (i.e. buy) opposition Members of Parliament in order to form a sham national unity government.

¶6. (C) The Ambassador asked Musyoka about rumors that, should he not win the ODM-K nomination, he would defect to Kibaki's camp, potentially becoming Kibaki's vice presidential running mate. Musyoka dismissed such speculation, saying that doing so would constitute political suicide.

Odinga

¶7. (C) In his discussion with the Ambassador, Odinga echoed many of the concerns expressed by Musyoka about the government's efforts to influence the electoral process. He also alleged that the government has been unduly influencing voter registration by issuing more identification cards to persons in pro-Kibaki areas, than in other areas. These IDs are required for voter registration.

¶8. (C) Odinga claimed that Kibaki is resisting electoral reforms in part because he knows that, even if he is elected President, he cannot win a majority in Parliament. He therefore does not want reforms that will preclude him from "poaching" opposition Parliamentarians in order to form a sham national unity government.

¶9. (C) As did Musyoka, Odinga said that ODM-K knows it must streamline its process to choose a presidential candidate, and that it must do so quickly in order to counter the growing perception that the ODM-K is in disarray. He outlined what he characterized as broad-based support that would ensure his successful nomination as the ODM-K candidate.

¶10. (C) The Ambassador raised with Odinga and Musyoka (both Members of Parliament) the importance of passing in this legislative session anti-moneylaundering legislation. (These approaches are part of an orchestrated campaign that we have been discreetly undertaking to urge passage of the legislation, which has included approaches to the President, key Members of Parliament, and the Vice President, who sets the Parliament's work agenda as the Chairman of the House Business Committee.) Both Musyoka and Odinga said they support passage of the legislation.

¶11. (C) Odinga asked the Ambassador if the U.S. was adopting a more pro-government policy as a trade-off for Kenyan cooperation on Somalia. The Ambassador made clear, as he did with Musyoka, that U.S. policy is to remain strictly neutral with respect to candidates, but to engage actively in order to ensure a credible and transparent electoral process. The Ambassador noted that he would be addressing many of these issues in his upcoming speech. The Ambassador said that, while the U.S. would be watching the government's behavior closely and engaging as appropriate, the opposition also shares responsibility to ensure that the process is credible. He noted that Odinga had publicly threatened the possibility of a boycott of the elections if minimum reforms are not passed. That, the Ambassador made clear, would be counter-productive and unacceptable. While electoral reforms are desirable, the 2002 elections, he pointed out, were held under the current electoral arrangements and were deemed free and fair. Odinga acknowledged that a boycott would not be the most productive approach, but refused to rule out such a possibility.

Comment

¶12. (C) Although there are dark horses waiting in the wings should Odinga and Musyoka falter, only Odinga and Musyoka have the national stature to make them credible candidates of a united opposition. Musyoka, from the small (about 11 percent of Kenya's population) Kamba tribe, is

best-positioned to forge a broad coalition (largely a coalition of tribal groups) because his group threatens none of the others. Odinga, on the other hand, is a Luo, one of the two largest tribes. Potential coalition partners among other tribal groups fear that an Odinga administration would favor the Luo just as Kibaki has allegedly favored his people, Kenya's largest tribe, the Kikuyu. Both are smart and neither seems inclined to cede to the other, thus clouding prospects for ODM-K unity. While both candidates have laid out, on paper, their "vision" for Kenya, neither has yet begun to articulate this to the electorate. Meanwhile Kibaki, being given something of a free ride by the divided opposition, is busy criss-crossing the country touting his list of accomplishments and looking very presidential. Neither Odinga nor Musyoka are free of the taint of corruption, so expectations for dramatic change should they be elected,, are limited. Odinga, Musyoka, and Kibaki are all quite positive towards the U.S.

RANNEBERGER